

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – PJP – Mahabubnagar District – Gadwal (Mandal) – Basara Cheruvu (Village) – O.P.No.2/2000 – Sanction of decretal charges of **Rs.4,26,246/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 533

DATE:18.07.2009

Read :

- 1) From the Special Collector, LA, Bheema Project, Mahabubnagar District Lr.No.E/PJP/82/2009, dt:24.02.2009.
- 2) From the Secy.to CCLA, AP, Hyderabad Lr.No.SRP4/225/2008, DATED:02.05.2009.

O R D E R:

The Secretary to the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.2/2000 pertaining to Basara Cheruvu (V) Gadwal (M) of Mahabubnagar District. The then Special Deputy Collector, LA, PJP, Gadwal had acquired the dry land to an extent of Ac.17-28 gts in the limits of Basara Cheruvu (V) Gadwal (M) was acquired vide Award No.12/1985, dt:23.09.1985 for the purpose of Widening of Kothapalli Lift Irrigation Main Canal by fixing the market value @Rs.1,500/- per acre for dry and @Rs.4,500/- per acre for Wet. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal had delivered the judgment on 23.09.2004 by enhancing the market value from Rs.1,500/- to Rs.21,000/- per acre for Dry lands. Aggrieved with the market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed Appeal before the Hon'ble High Court of A.P,Hyderabad. The Hon'ble H.C of A.P, Hyd has granted interim stay order on 28.02.2005 and directed to deposit the half of the decretal charges within twelve weeks from the date of order in O.P.No.2/2000, i.e 28.02.2005. Accordingly, an amount of Rs.3,30,839/- was sanctioned and the same was deposited in the court of the Sr.Civil Judge, Gadwal on 16.09.2005. Finally, the Hon'ble H.C of A.P, Hyd has dismissed the appeal filed by the SDC, LA, PJP, Gadwal by confirming the judgment of the Lower Court on 13.04.2007 vide A.S.No.236/2005.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.4,26,246/- (Rupees Four lakhs twenty six thousand two hundred and forty six only)** in respect of O.P.No.2/2000 pertaining to Basara Cheruvu (V) Gadwal (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyd immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (27) - Canals and Distributaries - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1856/F2(2)/2009-1, dated 28.05.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Chief Engineer, I & CAD, MBNR, Jalasoudha Buildings, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.7799//LA-III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER